

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JAMES H. GREEN,

Petitioner,

v.

E.K. McDANIEL, *et al.*,

Respondents.

Case No. 3:11-cv-00230-MMD-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

This action was dismissed without prejudice, and the case closed administratively, pursuant to an order entered June 6, 2014. (Dkt. no. 47.) The dismissal resulted from petitioner's election to return to state court to exhaust his state-court remedies with respect to certain of his grounds the petition. Petitioner's further state-court proceedings have apparently concluded, and petitioner has now returned to this Court seeking to reopen this case. (Dkt. no. 48.) Respondents have filed a notice of non-opposition to petitioner's motion to reopen this case. (Dkt. no. 49.) Good cause appearing, this action is reopened and the Court now sets a further briefing schedule for this action.

It is therefore ordered that petitioner's motion to reopen this action (dkt. no. 48) is granted.

It is further ordered that, as the stay is lifted by this order, the Clerk will reopen the file in this action.

1 It is further ordered that respondents will have forty-five (45) days following the  
2 date of entry of this order within which to answer, or otherwise respond to, the  
3 remaining grounds of the petition on file (dkt. no. 8).

4 It is further ordered that petitioner will have forty-five (45) days following service  
5 of the answer to file and serve a reply brief. If a dispositive motion is filed, the parties  
6 will brief the motion in accordance with Local Rule 7-2.

7 It is further ordered that the parties will send courtesy (paper) copies of any  
8 further exhibits filed in this action to the Reno Division of this Court. Courtesy copies  
9 must be mailed to the Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and  
10 directed to the attention of "Staff Attorney" on the outside of the mailing address label.

11 DATED THIS 9<sup>th</sup> day of March 2016.

A handwritten signature in blue ink, appearing to read "Miranda M. Du", is written over a horizontal line.

MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE